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Refreshing---Healthful
Good for the Digestion.

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REP. KALAKIELA IS CENSURED

(Continued from Page 1.)

"Banana claim" and "agreement" between Mrs. A. K. Palakalapi and Napoleon K. Pukui, presented to this committee by said Pukui and marked Exhibit "D," and Exhibit "E" respectively, are referred to by this report.

In its report the committee severely criticizes both the Advertiser and the Crossroads, a weekly publication, for incorrectness in news articles and editorials alleging graft against Kalakielia. Advertiser news articles are found untrue and incorrect and the committee reports that the Crossroads editorials were based upon the Advertiser's statements.

The report makes no reference to the Star-Bulletin, which first uncovered the fact that Representative Kalakielia was handling banana claims and which later treated the subject editorially. The Star-Bulletin did not charge Kalakielia with grafting, though it did charge that his connection with the claims laid him open to criticism as violating public policy. This contention is sustained in the committee's report and it is on this point that he is censured.

Throughout the report, the stand taken by the Star-Bulletin is sustained.

After several preliminary statements concerning the allegations made and the public opinion created on the subject, the report says:

Summary of the Evidence

From the evidence we find, that:

1. The Honorable J. S. Kalakielia did charge and was paid two dollars more or less, for preparing and filing a "banana claim" with the Democratic legislative committee. He admitted it himself.

2. That there is no evidence whatsoever, that Mr. Kalakielia promised, for consideration or otherwise, to vote for the passage of a "banana claim," or appropriation.

3. That there was another person handling "banana claims" by the name of Napoleon K. Pukui, who was charging for his services two dollars and twenty-five cents for a claim, and who contracting with the claimants, upon the payment of their claims, by the territory, that he was to further receive 25 per cent of the amount, as per agreement marked Exhibit "E."

4. That a Japanese by the name of T. Toyokawa was after "banana

claimants" also, taking them to Mr. Kalakielia. The claimants paid directly to said Toyokawa from twenty-five cents to one dollar for a claim, and he, the said Toyokawa, was to receive further "commissions" from them, in the event of the payment of their claims by the government.

5. That the Advertiser based its articles of "graft" upon the statements of Capt. Piltz and Mrs. Amoe McGreggor.

6. That the Crossroads founded its editorials upon the statements of the Advertiser.

Answers to the Resolution

In answer to the said resolution, directing "to inquire into such charges, and by whom, and on what authority they were made," we beg leave to say, that from the evidence the charges were made by the Pacific Commercial Advertiser and the Crossroads; that the Crossroads founded its "editorials" upon what the Advertiser had said, and the Advertiser based its charges as hereunder set out, mainly upon the statements of Capt. Piltz and Mrs. Amoe McGreggor, which statements were conclusively proven to be untrue by said Mrs. Capt. Piltz and Mrs. Cecilia Sharp.

In reply to the request, "to make thorough investigation as to the truth or falsity of said charges," we report, that there was no "graft"—that the Honorable Kalakielia never at any time, for consideration or otherwise, agreed or promised to sell his vote upon any "banana claim" whatsoever.

That the statements in the Advertiser of February 15, 1913, that "the wife of Capt. Piltz" "when she had signed, Hon. Jack asked her to produce two dollars. She hesitated and then thought she should have first consulted her husband, Hon. Jack told her that if she did not take this course and her claim was settled in the legislature, he, the Hon. Jack, would charge twenty-five per cent of the amount awarded her for the loss of her trees" "are denied by Mrs. Capt. Piltz, for she testified that she paid the two dollars willingly and that she made no complaints to her husband of the treatment she had received from Mr. Kalakielia; that she never talked about a "twenty-five per cent" commission with Mr. Kalakielia, and that she said to her husband, Capt. Piltz, "Papa, look what you have done; here is my name in the paper," and he says, "Oh, my, is it" and I said "Yes, look" and I threw the paper across the table to him, and he looked and he was mad."

That the editorial of the said Advertiser, in its issue of February 17, saying "for Kalakielia admits without shame that he has been collecting graft fees" "is not correct. Mr. Kalakielia made the charges for his services from the standpoint of an attorney at law and for the stationery furnished by him.

That the further statements in the said "Advertiser," saying, "Hon. Jack guarantees payment by the legislature of one dollar per tree" "and that "Kalakielia is reported to have employed a Japanese named Toyokawa as an advance agent and collector, to work among Japanese who had trees destroyed and "in every instant the claimants are also guaranteed one dollar per tree" "are not substantiated by the evidence. The evidence of the eleven Japanese examined by this committee, is, that no "guarantee" whatsoever was made—that the said Toyokawa was not employed by Mr. Kalakielia, but was soliciting "banana claimants" upon his own account, and for which he was paid directly by them.

That the editorial of the "Advertiser" on February 20, 1913, to-wit: "but in cases secured the signed promises of some that he would be paid one-quarter of whatever amount the legislature might order the territorial treasurer to pass over in settlement of claims" "is not substantiated by any evidence, and that the "signed promises" of "one-quarter" were made by the claimants with one Napoleon K. Pukui as per exhibit "E."

That the "Bystander" of the Sunday issue of the said "Pacific Commercial Advertiser" of March 2, 1913, charging that "the Hon. Jack Kalakielia is sitting in his seat with promises of remuneration in his pocket if certain claims against the government are successfully acted upon by the legislature" "is not substantiated by any evidence whatsoever—to the contrary, there is evidence that no "promises of remuneration" of any kind were made at all.

That the "near-grafting" articles in the "Crossroads" of February 14 and February 21, being based upon the publications in the said "Advertiser," are not well founded.

That the various opinions of the public as above stated, advocating the expulsion, suspension or censuring of Mr. Kalakielia upon the grounds mentioned, are not warranted by the testimony.

Further reporting upon the request of the said resolution, "to report their findings to this house with their opinions thereon, and with such resolution as to them, shall seem meet," we respectfully present the following:

Conclusion.

Your committee is of the opinion that notwithstanding the fact that the Honorable J. S. Kalakielia as attorney at law was not expected to prepare and file banana claims gratis,

still, he having run for election as a representative and having been elected more or less upon the "banana claim" issue, it was his paramount duty, after his election as such representative, to prepare and present said claims to this legislature, without entertaining thoughts of monetary remuneration.

And though the evidence adduced before your committee is not sufficient to warrant the expulsion or suspension of the Honorable J. S. Kalakielia from the floor of this house, still we hold that the Honorable J. S. Kalakielia was indiscreet and showed very poor judgment in charging and accepting fees for the preparation and filing of said claims, well knowing at the time that upon the floor of this house he would be called upon to vote either for or against the measure appropriating funds for the payment of said claims.

As to the reports circulated in the newspapers of the city, though not substantiated in all instances by the evidence before your committee, nevertheless we are of the opinion that there was cause for the people to express through public opinion, a desire to have this matter brought to light, and therefore attach no blame to the press in general.

We would recommend as follows: That while we do not believe that there is sufficient cause to have Mr. Kalakielia expelled from the house, we recommend that he be censured by this house; and

That the resolution upon which we were authorized to act in this matter, be placed on file.

Very respectfully submitted,

W. J. SHELDON, Chairman.

J. H. CONEY, Member.

A. F. TAVARES, Member.

J. M. POEPOE, Member.

J. K. PAELE, Member.

Dated, Honolulu, April 4, 1913.

JUDD'S BILL FOR NEW STREETS MEETS HEARTY COMMENDATION

The select committee of Oahu senators found time yesterday afternoon to go thoroughly into the merits of S. B. 111, a bill introduced by Senator Judd, and one which will make it possible for Honolulu to widen her streets and otherwise improve them and become a city beautiful. James A. Rath, head worker of the Palama district, was present and expressed his hearty co-operation with the plan for better streets as outlined in the bill.

After Senator Judd had given a resume of the scope of the proposed act, and had shown the committee a prospectus drawing he had had prepared, which displays the advantage to the city's health and appearance the improvement contemplated by Senator Judd and rendered possible by the bill will make, the committee decided to report favorably on the measure.

Senator Judd stated that this bill provides a means of giving the city a fee simple title to lands now privately held and needed for streets, and that a second bill, setting out specifically the manner of obtaining the money necessary to widen or open streets was in the course of

preparation and would soon be introduced. By the terms of these bills, a majority of the property owners desiring to improve their streets can force the improvements to be made, the cost of which will be borne by a light assessment on the land improved, and will cover a long period to make the cost less burdensome. It is provided, also, that streets bonds may be issued to raise money for the improvement work. The entire act is patterned after the statute of Denver, which has proved highly successful.

Mr. Rath stated that it would be of great benefit to several congested districts, where disease is believed to spread because of the ill condition of the streets.

Dr. Pratt of the territorial board of health was not present at the meeting, though he expected to be. He sent word, however, of his hearty approval of the measure.

"It is the most important piece of legislation before the senate," he stated. "Every citizen should take an interest in seeing it become enacted. It will mean a great deal to our public health and to the better appearance of the city."

to table S. E. 97 (adopted). From judiciary committee on S. M. C. 21, reporting that matter contained in communication has been covered in bill introduced prohibiting reckless driving.

Deferred Action
H. B. 198, deferred April 8.
H. B. 199, deferred April 8.
H. B. 148, deferred 2 o'clock.
Gov. Mess. No. 11, deferred tomorrow.

S. B. 92, deferred April 7.
S. B. 99, deferred April 7.

Communications
From Mayor Fern, submitting report of his administration. Filed.

From governor, naming commissioners to investigate the financial affairs of Hawaii county.

Afternoon Senate
The senate passed through third reading this afternoon H. B. 148, without the amendments proposed by Senator Makekau yesterday. The measure is to allow the supervisors' traveling expenses.

Word was received from the house that it had failed to concur in the amendments made by the senate to H. B. 291, which relates to the salaries of county officers. Representatives Watkins, McCandless and Kaaua were appointed by the house, and Senators Wirtz, Chillingworth and Lauka from the senate as a conference committee.

HOUSE

Thirty-eighth Day

New Bills

H. B. 242—An act for the protection of pheasants on the island of Oahu.—Robertson.

H. B. 243—Making appropriation of \$10,000 for a statue of Kamehameha I at Lahaina, Maui.—Walsh.

H. B. 244—Appropriating money for a road through the beach tracts at Kihel, Maui.—Goodness.

H. B. 245—Authorizing the acquisition of certain lands in Honolulu for roads.—Kinsela.

H. B. 246—Providing for redemption of property sold under foreclosure sale.—Kupieha.

H. B. 247—Relating to compensation of attorneys in divorce cases.—Sheldon.

H. B. 248—To sec. 2 of act 57 of S. L. 1907.—Lyman.

H. B. 249—To provide for medical dispensaries at Kapiolani and Kalaniana'one, Puna, island of Hawaii.—Lyman.

Third Reading
H. B. 216 (Asch)—Relating to county and municipal licenses and permits. Action deferred to April 9.

Committee Reports
No. 288.—Agricultural, on H. B. 150 (Kukihua), creating a model taro farm and poi factory, recommending it be tables. Report adopted.

No. 289.—Agricultural, on H. B. 171 (Robertson), recommending its passage. Report adopted. Third reading tomorrow.

No. 290.—Agricultural, on H. B. 205 (Goodness), relating to game, recommending its passage. Report adopted. Third reading tomorrow.

No. 291.—Agricultural, on S. B. 40 (Makekau), granting a gas franchise in South Hilo, recommending its passage with amendments. Report adopted. Third reading tomorrow.

No. 292.—Finance, on S. B. 104 (Wirtz), for the relief of the Ohio flood sufferers, recommending it be tables. Report adopted.

No. 293.—Finance, on H. B. 195 (lands committee) upholding for cooperative societies to assist homesteaders in improving their holdings, recommending it be tables. Report adopted.

No. 294.—Finance, on H. B. 135 (Paxson), to reimburse H. Kishi,

recommending it be tables. Report adopted.

No. 295.—Finance, on S. B. 82 (Coke), to reimburse H. Kishi, recommending its passage. Report adopted. Third reading tomorrow.

No. 296.—Finance, on H. B. 227 (G. P. Cooke), extending the time of taxation exemption, recommending its passage. Report adopted. Third reading tomorrow.

No. 297.—Judiciary, on H. B. 193, to provide for creation of a bill commissioner, recommending it be tables. Report adopted.

No. 298.—Judiciary, on H. B. 61 (Kalakielia), ordering the investigation of Kalakielia's action in gathering banana claims, reporting committee's findings, recommending he be censured. Report adopted.

No. 299.—Miscellaneous, on H. B. 106 (Lyman), relating to persons employed in the territorial or county service, recommending its passage with amendments. Report adopted. Third reading tomorrow.

No. 300.—Lands, on H. B. 176 (Lyman), relating to encouragement of the development of railroads, recommending the passage with amendments. Report adopted. Third reading tomorrow.

No. 301.—Lands, on H. C. R. 6 (Paxson), asking congress to amend the organic act, recommending its adoption. Report adopted.

No. 302.—Military, on H. B. 204 (Goodness) relating to hunting with firearms, recommending it be tables. Report adopted.

Special Committee Reports
No. 10.—Hawaii delegation, on H. B. 200 (Kawewehi), to fix the minimum wage of laborers on Hawaii, recommending its passage. Report adopted. Third reading tomorrow.

No. 11.—Hawaii delegation, on house petition No. 34, recommending it be tables. Report adopted.

No. 12.—Hawaii delegation, on H. B. 76 (Lyman), prescribing the tenure of office and manner of election of the Hawaii county supervisors, recommending its passage with amendments. Report adopted. Third reading tomorrow.

No. 13.—Oahu delegation, on S. B. 11, recommending its passage. Report adopted. Third reading tomorrow.

Re-Committed
H. B. 222 (Robertson)—Making an appropriation for purchase of photographic plates and pictures of the royal family of Hawaii. Sent back to finance committee.

Communications
From the senate, stating that Judd, Coke and Pali have been appointed a joint conference committee on H. B. 156.

From the senate, returning H. B. 191, passed by that body with amendments. Amendments concurred in.

From the senate, returning H. B. 201, passed by that body with amendments. Amendments not concurred in.—Watkins, McCandless and Kaaua appointed as managers for the house.

From the senate, transmitting S. B. 93, passed by that body. First reading in house.

From the senate, transmitting S. B. 94, passed by that body. First reading in house.

From the senate, transmitting S. B. 89, passed by that body. First reading in house.

From Mayor Joseph Fern, submitting the biennial report of municipal departments. Filed.

From the senate, returning H. B. 196, passed by that body with amendments. Amendments concurred in.

Second Reading
S. B. 18—Referred to finance committee.

S. B. 20—Referred to finance committee.

THAYER UPHOLDS SHERIFF
WHO FLOGGED PRISONER

Declaring that he was instructed by the board of prison inspectors of the first judicial district to flog Chun Duck Soon, the slippery Kroeian who has been giving the authorities no end of trouble, High Sheriff Henry yesterday answered charges brought against him by Attorney George A. Davis. The charges were presented to Governor Frear who turned them over to the consideration of Attorney General W. W. Thayer. Davis alleges, in the main, that Henry violated the federal law in flogging Chun Duck Soon.

Attorney General Thayer stated that the federal law applies only to prisoners convicted and sentenced under federal statutes. He further quoted from the territorial statutes, pointing out that the prison commissioners are empowered to prescribe such punishment as may be deemed necessary.

Funeral services over the ashes of the late Wm. M. Langton will be held tomorrow afternoon, in St. Andrew's cathedral. The Rev. W. E. Potwine will conduct the services, to which friends are invited.

The American tanker Santa Maria, with oil for the local branch of the Union Oil Company, is on the boards for dispatch for Port Harford tomorrow. This vessel was an arrival yesterday, bringing 44,000 barrels fuel.



Spring and Summer Clothes

WE have made extraordinary preparations this season for our exhibit and sale of

New Spring Styles for Men

The styles are so numerous it is impossible to give you a brief description, and do justice to our assortment. We extend to you an invitation to visit us, whether you buy or not.

The Clarion

Six universities in Latin-American countries were established before the first one in the territory that afterwards became the United States, according to a recent bulletin of the bureau of education. The universities of Mexico and Lima were founded in 1551, Santo Domingo 1558, Bogota 1572, Cordoba 1613, and Sucre 1623.

Star-Bulletin today's news today.

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"Anchor" Sheets

Size		
75c Quality—54x90—Reduced to.....	60c	
85c Quality—63x90—Reduced to.....	70c	
\$1.00 Quality—72x90—Reduced to.....	80c	
\$1.15 Quality—81x90—Reduced to.....	90c	
\$1.25 Quality—90x90—Reduced to.....	\$1.00	

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